

16279

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C., 20231, ON THE DATE INDICATED BELOW.  
BY: Ruth C. Linsman DATE: February 14, 2002

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Patent Application of  
Douglas Ross, et al.

Appln. No.: 09/961,086

Filed: September 21, 2001

For: BREAST CANCER RESISTANCE PROTEIN  
(BCRP) AND THE DNA WHICH ENCODES IT

: Group Art Unit: 1642

: Examiner: Not Yet  
Assigned

: Attorney Docket  
No. 053836-5001-01



TECH CENTER 1600/2900

MAR 04 2002

RECEIVED

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

No fee is necessary since a first Office Action has not yet been issued.

Respectfully submitted,

February 14, 2002  
(Date)

By:

Kathryn Doyle  
**KATHRYN DOYLE, Ph.D., J.D.**  
Registration No. 36,317  
**MORGAN, LEWIS & BOCKIUS, LLP**  
1701 Market Street  
Philadelphia, PA 19103-2921  
Telephone: (215) 963-5000  
**Direct Dial: (215) 963-4723**  
Facsimile: (215) 963-5299  
E-Mail: [kdoyle@morganlewis.com](mailto:kdoyle@morganlewis.com)  
Attorney for Applicants

KD:GHL  
Enclosures: PTO-1449  
Copy of 7 References

Substitute for form 1449A/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Application Number</b>	09/961,086
		<b>Filing Date</b>	September 21, 2001
		<b>First Named Inventor</b>	Douglas Ross, et al.
		<b>Group Art Unit</b>	1642
		<b>Examiner Name</b>	Not Yet Assigned
<b>Sheet</b>	1	<b>of</b>	1
		<b>Attorney Docket Number</b>	053836-5001-01

RECEIVED  
MAR 04 2002  
TECH CENTER 1800/2900

U.S. PATENT DOCUMENTS			
Exr Initials	U.S. Patent Document Number	Kind Code (if known)	Name of Inventor or Applicant of Cited Document
			Date of Publication of Cited Document MM-DD-YYYY

FOREIGN PATENT DOCUMENTS						
Exr Initials	Foreign Patent Document			Name of Inventor or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sub>1</sub>
	Country Code	Number	Kind Code (if known)			
	PCT	WO94/10303		University of Kingston	05-11-1994	
	PCT	WO00/18912		Bayer AG	04-06-2000	
	PCT	WO00/36101		Susan Bates	06-22-2000	
	PCT	WO99/58675		Chiron Corporation	11-18-1999	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exr Initials	Include Name of Author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sub>1</sub>
	HILLIER L., et al., "Generation and Analysis of 280,000 Humana Expressed Sequence Tags," Genome Research, 1996, vol. 6(9):807-828.	
	JAROSZEWSKI, et al., "Concerning Antisense Inhibition of the Multiple Drug Resistance Gene," Cancer Communications, 1990, vol. 2(8):287-294.	
	YANG, et al., "Cloning and Characterization of Breast Cancer Resistance Protein (BCRP), A Novel ATP-Binding Cassette (ABC) Transporter That May Contribute to the Multi-drug Resistance Phenotype of MCF-7/ADRVP Breast Cancer Cells," Proceedings of the 89th Annual Meeting of the American Association for Cancer Research, 1998, vol. 39:657 (abstract).	

<b>Examiner Signature</b>		<b>Date Considered</b>	
---------------------------	--	------------------------	--

T<sub>1</sub> - Place a check mark if English language translation is attached.

County Code - see Phila Doc #52886

Kind Code - see Phila Doc # 99754

1-PH/1557533.1